

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP - 8 2005

DOCKET NO. 1657

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-23)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,491 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

**SCHEDULE CTO-23 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 05-702	Glendora Turner, etc. v. Merck & Co., Inc., et al.
ALABAMA NORTHERN ALN 2 05-1633 ALN 4 05-1616	Steve Widmar, Jr., et al. v. Merck & Co., Inc. Helen McMichen, et al. v. Merck & Co., Inc.
ALABAMA SOUTHERN ALS 1 05-470	Margaret Hadley, et al. v. Merck & Co., Inc., et al.
ARKANSAS EASTERN ARE 2 05-185	Stoney Walton v. Merck & Co., Inc.
CALIFORNIA CENTRAL CAC 2 05-5446	Ronnie Penfold v. Merck & Co., Inc.
CALIFORNIA NORTHERN CAN 3 05-3130 CAN 3 05-3131 CAN 3 05-3188 CAN 3 05-3205	Ismael Lopez, et al. v. Merck & Co., Inc. Giovanni Cortese v. Merck & Co., Inc. Dennis Parks, et al. v. Merck & Co., Inc. Sandra J. Springs v. Merck & Co., Inc., et al.
COLORADO CO 1 05-1436	Gail Janet Lagomarsino-Burmmett v. Merck & Co., Inc.
CONNECTICUT CT 3 05-1198	Don Hanrahan v. Merck & Co., Inc.
FLORIDA SOUTHERN FLS 1 05-22179	James E. Sprinkle, et al. v. Merck & Co., Inc.
IOWA NORTHERN IAN 1 05-132	Sherrill Herke v. Merck & Co., Inc.
IDAHO ID 1 05-312	Charles Piquer v. Merck & Co., Inc.
ILLINOIS NORTHERN ILN 1 05-4556	Patricia Bennett v. Merck & Co., Inc.
ILLINOIS SOUTHERN ILS 3 05-526 ILS 3 05-527 ILS 3 05-528 ILS 3 05-529 ILS 3 05-548 ILS 3 05-549 ILS 3 05-550 ILS 3 05-557 ILS 3 05-558 ILS 3 05-559	Gary Auslander v. Merck & Co., Inc., et al. Myrtle Bohannon v. Merck & Co., Inc., et al. Laurence Madden v. Merck & Co., Inc. John G. Smith, Jr. v. Merck & Co., Inc., et al. Bridgette Bradley v. Merck & Co., Inc. Mary A. Koch v. Merck & Co., Inc. Larry King v. Merck & Co., Inc., et al. Arhonda Hoffman v. Merck & Co., Inc. David Green v. Merck & Co., Inc. Kelvin Handy v. Merck & Co., Inc.

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ILS 3 05-560	Mae Bess Hale v. Merck & Co., Inc.
ILS 3 05-561	David Spiegelberg v. Merck & Co., Inc.
ILS 3 05-562	Clara Kirkendall v. Merck & Co., Inc., et al.
ILS 3 05-563	Mary Hardin v. Merck & Co., Inc., et al.
ILS 3 05-564	Steven Mjtchell v. Merck & Co., Inc.
ILS 3 05-565	Paul Lucas v. Merck & Co., Inc.
ILS 3 05-566	Margaret Hughes v. Merck & Co., Inc., et al.
ILS 3 05-567	Bettye Harris v. Merck & Co., Inc.
ILS 3 05-568	Betty Belue v. Merck & Co., Inc.
ILS 3 05-569	Mary Price v. Merck & Co., Inc.

INDIANA NORTHERN

INN 3 05-448	Roger Weissmann, et al.v. Merck & Co., Inc.
INN 3 05-449	Phyllis Ranschaert v. Merck & Co., Inc.
INN 3 05-450	Bernie Harlan v. Merck & Co., Inc.
INN 3 05-451	Thomas J. Lustik, et al. v. Merck & Co., Inc.

KANSAS

KS 2 05-2334	Nona Conyers v. Merck & Co., Inc.
KS 2 05-2335	Elaine Coppenbarger v. Merck & Co., Inc., et al.
KS 5 05-4090	Alan Hewitt v. Merck & Co., Inc.

KENTUCKY WESTERN

KYW 1 05-112	Walter Glenn v. Merck & Co., Inc., et al.
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LOUISIANA MIDDLE

LAM 3 05-1003	Brenda Deiter v. Merck & Co., Inc.
LAM 3 05-1009	Thomas Gridley v. Merck & Co., Inc.

LOUISIANA WESTERN

LAW 3 05-1444	Mary Katherine Brady, et al. v. Merck & Co., Inc.
LAW 5 05-1409	Connie Hankins, et al. v. Merck & Co., Inc.

MARYLAND

MD 1 05-2074	Lisa Gray v. Merck & Co., Inc.
MD 1 05-2245	William Edris Evans v. Merck & Co., Inc.

MINNESOTA

MN 0 05-1630	Jimmy Gould v. Merck & Co., Inc.
MN 0 05-1641	T.J. Power, etc. v. Merck & Co., Inc.
MN 0 05-1642	Salvatore Randazzo v. Merck & Co., Inc.
MN 0 05-1643	Ralph C. Pomeroy v. Merck & Co., Inc.
MN 0 05-1644	Gerald W. Norback v. Merck & Co., Inc.
MN 0 05-1646	David W. Burnham v. Merck & Co., Inc.
MN 0 05-1647	Russsell R. Keefer v. Merck & Co., Inc.
MN 0 05-1648	Brian F. Vaughn v. Merck & Co., Inc.
MN 0 05-1649	Alice H. Bolton v. Merck & Co., Inc.
MN 0 05-1650	Helen M. Atemborski v. Merck & Co., Inc.
MN 0 05-1651	Patricia J. Rivera v. Merck & Co., Inc.

MISSOURI EASTERN

MOE 4 05-1165	Antonia Albert v. Merck & Co., Inc.
MOE 4 05-1166	Francis Best v. Merck & Co., Inc.
MOE 4 05-1167	Richard D. Kueber v. Merck & Co., Inc.
MOE 4 05-1168	Loretta Bates v. Merck & Co., Inc.
MOE 4 05-1169	Nathan Yopp, Sr. v. Merck & Co., Inc.
MOE 4 05-1170	Edward Evans v. Merck & Co., Inc

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MOE 4 05-1197	Carol Souders v. Merck & Co., Inc.
MOE 4 05-1200	Kenneth Hohlt, Jr. v. Merck & Co., Inc.
MOE 4 05-1267	Delores Beaver v. Merck & Co., Inc.
MISSOURI WESTERN MOW 4 05-696	William D. Glenn, et al. v. Merck & Co., Inc.
MISSISSIPPI NORTHERN MSN 1 05-190	Shirley Foster v. Merck & Co., Inc., et al.
MSN 2 05-154	Lorene Sparks v. Merck & Co., Inc., et al.
MSN 2 05-155	Larry Aaron v. Merck & Co., Inc., et al.
MSN 2 05-156	Lee Dawkins v. Merck & Co., Inc., et al.
MSN 2 05-157	Doretha Banks v. Merck & Co., Inc., et al.
MONTANA MT 9 05-128	Kevin Allen v. Merck & Co., Inc.
NORTH CAROLINA EASTERN NCE 5 05-520	Richard Gaddie v. Merck & Co., Inc.
NORTH DAKOTA ND 3 05-78	Lom Campbell v. Merck & Co., Inc.
NEBRASKA NE 4 05-3189	Jon Brunkhorst v. Merck & Co., Inc.
NE 8 05-366	Joann P. Howe, etc. v. Merck & Co., Inc.
NEW JERSEY NJ 3 05-3728	Wanda Cole, et al. v. Merck & Co., Inc.
NJ 3 05-3778	Theresa Ducham, et al. v. Merck & Co., Inc.
NJ 3 05-3779	Anthony Krowicki v. Merck & Co., Inc.
NJ 3 05-3796	Christie Anderson v. Merck & Co., Inc.
NEVADA NV 2 05-627	Daniel Morrison, et al. v. Merck & Co., Inc., et al.
NEW YORK NORTHERN NYN 1 05-981	Doreen J. Maxwell v. Merck & Co., Inc.
NEW YORK SOUTHERN NYS 1 05-6932	Norma Tio v. Merck & Co., Inc.
NYS 1 05-6958	June Tauber Golden, et al. v. Loren Martin Fishman, M.D., et al.,
NYS 1 05-7084	Ashraf Ahmed, et al. v. Merck & Co., Inc.
NYS 1 05-7085	Carlota Bajana, et al. v. Merck & Co., Inc.
OHIO NORTHERN OHN 1 05-1875	Jason Ross v. Merck & Co., Inc.
OHN 1 05-1958	Patricia Workman, et al. v. Merck & Co., Inc.
OKLAHOMA WESTERN OKW 5 05-871	Mary A. Bruch, et al. v. Merck & Co., Inc.
OREGON OR 3 05-1228	Cheryl Edwards v. Merck & Co., Inc.
PENNSYLVANIA EASTERN PAE 2 05-4090	William Hnatuk, et al. v. Merck & Co., Inc., et al.

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
PAE 2 05-4103	Klaus Hofmann, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4237	Mark Justus, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4238	Sherrie Hedden, etc. v. Merck & Co., Inc., et al.
PAE 2 05-4239	Amelia A. Wilson, et al. v. Merck & Co., Inc., et al.
PENNSYLVANIA WESTERN PAW 2 05-1073	Renee M. Bernabe v. Merck & Co., Inc.
RHODE ISLAND RI 1 05-331	Stephen Moreau v. Merck & Co., Inc.
SOUTH DAKOTA	
SD 1 05-1026	Ruth Grotjohn v. Merck & Co., Inc.
SD 1 05-1027	Gerald Sanborn v. Merck & Co., Inc.
SD 1 05-1028	Charles Mardian v. Merck & Co., Inc.
SD 1 05-1029	Jerry Hansen v. Merck & Co., Inc.
SD 1 05-1030	Richard Wolf v. Merck & Co., Inc.
SD 1 05-1031	Gary Ofstad v. Merck & Co., Inc.
SD 1 05-1032	John Shaver v. Merck & Co., Inc.
SD 1 05-1033	Steve Klima v. Merck & Co., Inc.
SD 1 05-1034	Alvin Dexter v. Merck & Co., Inc.
TENNESSEE EASTERN TNE 3 05-381	Steven R. Chapman, et al. v. Merck & Co., Inc.
TENNESSEE MIDDLE TNM 2 05-71	Joyce Duke, et al. v. Merck & Co., Inc.
TENNESSEE WESTERN TNW 1 05-1203	Phillip Vernon v. Merck & Co., Inc.
TEXAS EASTERN	
TXE 2 05-351	Brenda DeLoach, et al. v. Merck & Co., Inc.
TXE 2 05-353	Richard L. Dutton v. Merck & Co., Inc.
TEXAS NORTHERN	
TXN 2 05-212	Audelia Serna, etc. v. Merck & Co., Inc.
TXN 3 05-1504	Linda Powell v. Merck & Co., Inc.
TEXAS SOUTHERN	
TXS 2 05-375	Velma Byrd, etc. v. Merck & Co., Inc.
TXS 5 05-164	Rosa Reyes, et al. v. Merck & Co., Inc., et al.
UTAH	
UT 1 05-100	Marilyn Nestman v. Merck & Co., Inc.
UT 2 05-636	Clifton E. Allenbach, et al. v. Merck & Co., Inc.
WASHINGTON WESTERN WAW 2 05-1323	Ronald Forrest v. Merck & Co., Inc.
WEST VIRGINIA SOUTHERN WVS 2 05-596	Terry Kelly v. Merck & Co., Inc.
WYOMING WY 2 05-215	James R. Pope v. Merck & Co., Inc.